



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2087

Introduced 2/25/2005, by Sen. Kimberly A. Lightford - Dan Cronin - Don Harmon - James A. DeLeo

SYNOPSIS AS INTRODUCED:

20 ILCS 3901/15
20 ILCS 3901/17 new
20 ILCS 3901/20

Amends the Addison Creek Restoration Commission Act. Authorizes the Addison Creek Restoration Commission to accept loans and advances, to levy taxes, and to borrow money and issue bonds. Effective July 1, 2005.

LRB094 08857 MKM 39076 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Addison Creek Restoration Commission Act is
5 amended by changing Sections 15 and 20 and by adding Section 17
6 as follows:

7 (20 ILCS 3901/15)

8 (Section scheduled to be repealed on January 1, 2010)

9 Sec. 15. Acceptance of grants, loans, advances, and
10 appropriations. The Commission may apply for and accept
11 grants, loans, advances, and appropriations from the federal
12 government and from the State of Illinois or any agency or
13 instrumentality thereof to be used for the purposes of the
14 Commission and may enter into any agreement in relation to
15 these grants, loans, advances, and appropriations. The
16 Commission may also accept from the State, any State agency,
17 department, or commission, any unit of local government, any
18 railroad, school authority, or jointly therefrom, grants of
19 funds or services for any of the purposes of this Act.

20 (Source: P.A. 93-948, eff. 8-19-04.)

21 (20 ILCS 3901/17 new)

22 Sec. 17. Borrowing money and issuance of bonds. The
23 Commission may incur debt and borrow money from time to time
24 and, in evidence thereof, may issue and sell bonds in such
25 amount or amounts as the Commission may determine to provide
26 funds for carrying out the purposes of this Act, to pay all
27 costs and expenses incident to issuing the bonds, and to refund
28 and refinance, from time to time, bonds so issued and sold, as
29 often as may be deemed to be advantageous by the Commission.
30 Before or at the time of issuing bonds, the Commission shall
31 provide by ordinance for the collection of an annual tax

1 sufficient to pay the interest on the bonds as it falls due and
2 to pay the bonds as they mature.

3 (20 ILCS 3901/20)

4 (Section scheduled to be repealed on January 1, 2010)

5 Sec. 20. Taxing powers.

6 (a) After the first Monday in October and by the first
7 Monday in December in each year, the Commission shall levy the
8 general taxes for the Commission by general categories for the
9 next fiscal year. A certified copy of the levy ordinance shall
10 be filed with the county clerk of each county in which the
11 territory of the Commission is located by the last Tuesday in
12 December each year.

13 (b) The amount of taxes levied for general corporate
14 purposes for a fiscal year may not exceed the rate of .01% of
15 the value, as equalized or assessed by the Department of
16 Revenue, of the taxable property within the territory of the
17 Commission.

18 (c) This tax and tax rate are exclusive of the taxes
19 required for the payment of the principal of and interest on
20 bonds.

21 (d) The rate of tax levied for general corporate purposes
22 may not be initially imposed or thereafter increased unless the
23 board first adopts a resolution authorizing the initial
24 imposition of the tax rate or the increase and publishes notice
25 thereof in a newspaper having general circulation in the
26 territory of the Commission at least once not less than 45 days
27 prior to the effective date of the initial imposition of the
28 tax rate or the increase. The notice shall include a statement
29 of (1) the specific number of voters required to sign a
30 petition requesting that the question of the adoption of the
31 resolution be submitted to the electors of the territory of the
32 Commission; (2) the time in which the petition must be filed;
33 and (3) the date of the prospective referendum. The Commission
34 shall provide a petition form to any individual requesting one.
35 If, no later than 30 days after the publication of the notice,

1 petitions signed by voters of the territory of the Commission
2 equal to 10% or more of the registered voters of the territory
3 of the Commission, as determined by reference to the number of
4 voters registered at the next preceding general election, and
5 residing in the district are presented to the Commission
6 expressing opposition to the imposition of the tax rate or the
7 increase, the proposition must first be certified by the
8 Commission to the proper election officials, who shall submit
9 the proposition to the legal voters of the territory of the
10 Commission at an election in accordance with the general
11 election law and approved by a majority of those voting on the
12 proposition.

13 The rate of the tax levied for general corporate purposes
14 of the Commission may be initially imposed or thereafter
15 increased, up to the maximum rate identified in subsection (b),
16 by the Commission by a resolution calling for the submission of
17 the question of imposing or increasing the rate to the voters
18 of the Commission in accordance with the general election law.
19 The question must be in substantially the following form:

20 Shall the Commission be authorized to establish its
21 general corporate tax rate at (insert rate) on the
22 equalized assessed value on all taxable property located
23 within the territory of the Commission for its general
24 purposes?

25 The ballot must have printed on it, but not as part of the
26 proposition submitted, the following: "The approximate impact
27 of the proposed (tax rate or increase) on the owner of a single
28 family home having a market value of (insert value) would be
29 (insert amount) in the first year of the (tax rate or increase)
30 if the (tax rate or increase) is fully implemented." The ballot
31 may have printed on it, but not as part of the proposition, one
32 or both of the following: "The last tax rate extended for the
33 purposes of the Commission was (insert rate). The last rate
34 increase approved for the purposes of the Commission was in
35 (insert year)." No other information needs to be included on
36 the ballot.

1 The votes must be recorded as "Yes" or "No".

2 If a majority of the electors voting on the question vote
3 in the affirmative, the Commission may thereafter levy the tax.

4 ~~The Commission shall not have the power to levy real property~~
5 ~~taxes for any purpose whatsoever.~~

6 (Source: P.A. 93-948, eff. 8-19-04.)

7 Section 99. Effective date. This Act takes effect July 1,
8 2005.